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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/117,799	08/06/1998	WOLFGANG FRAAS	P98.1428	4083

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EXAMINER

TSEGAYE, SABA

ART UNIT PAPER NUMBER

2662

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/117,799

Applicant(s)

FRAAS ET AL.

Examiner

Saba Tsegaye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duault et al. (US 5,638,365) in view of Ishibashi et al. (US 5,590,132).

Regarding claims 1, 3 and 4, Duault discloses an ATM network having user interfaces (column 5, lines 52-55) (as in claims 1 and 3);

conversion units to convert time-division multiples data into ATM cells, or ATM cells into time-division multiples data (column 5, lines 50-55) (as in claims 1 and 4);

an allocation unit to allocate a virtual ATM channel to each time-division multiples channel (column 5, lines 55-57).

Further, Duault teaches that circuit emulation services emulate a circuit switching service with an ATM terminal Interworking function. Fig. 5 shows DTEs respectively connected to, IWF and ATM Network. Further, Duault teaches that interconnection of PBX multiplexes several TDM channels in an ATM connection (as in claims 1 and 4).

However, Duault does not expressly disclose the ET and the LT respectively connected to ATM network (as in claim 1).

Ishibashi discloses, in Figs. 4, 9 and 10, Terminal equipment and NT 64a; Line Terminating unit 220; SNIF 22, FINF 26 and ATM network 60; MUX 23 and DMUX 25; and VPI/VCI converting unit 223.

Further, as shown in Figs. 9 and 10, SNINF and FINF are interfaces between the local switch and ATM exchanges in the ATM network. The FINFs are connected through transit lines, which are bi-directional transmission lines, to the other exchanges to transmit and receive data

cells and control signals between exchanges. Further, Ishibashi suggests that as customer station, there may be one having a constitution for accommodating various terminals such as a general subscriber, LAN, OR a PBX.

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to substitute an exchange termination and a line termination, such as that suggested by Ishibashi, to the DTE of Duault in order connect more devices or equipments to the interface and to reduce complexity in the communication system.

Regarding claim 2, Duault discloses a transmission system further comprising a switching device for switching time division multiples digital signal between a plurality of exchange terminations wherein the plurality of exchange terminations of the switching device are connected to a single user interface of an ATM network (column 5, lines 50-55).

2. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Duault in view of Ishibashi as applied to claim 1 above, and further in view of Helbig et al. (US 5,673,258).

Duault in view of Ishibashi discloses all the claim limitations as stated above except for a V1 reference point between the exchange termination and the line termination.

Helbig discloses, in Fig. 3, a V reference point between exchange termination and the line termination. As shown in Fig. 3, between different functional groups (ET, LT, NT, TE), certain reference points are defined, which separate the functional groups from one another.

It would have been obvious to one ordinary skill in the art at the time the invention was made to add a V reference point between exchange termination and the line termination, such as that suggested by Helbig, in the ATM network of Duault in view of Ishibashi in order to comply

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the standard since the V is the reference point between the exchange termination and the line termination so would be logical to make the ATM network the V reference to comply with the standard.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saba Tsegaye whose telephone number is (703) 308-4754. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703) 305-4744. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

ST  
December 13, 2002

  
HASSAN KIZOU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2000